

First published in The Wichita Eagle, June 25, 2004

ORDINANCE NO. 46-195

AN ORDINANCE PERTAINING TO THEFT, AMENDING SECTIONS 5.42.010 AND 5.42..070 OF THE CODE OF THE CITY OF WICHITA; AND REPEALING THE ORIGINALS OF SAID SECTIONS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Section 5.42.010 of the Code of the City of Wichita is hereby amended to read as follows:

Section 5.42.010 Petit theft.

Petit theft is any of the following acts done with intent to deprive the owner permanently of the possession, use or benefit of his property:

(a) Obtaining or exerting unauthorized control over property having a value of less than \$1,000 dollars;

(b) Obtaining by deception control over property having a value of less than \$1,000 dollars;

(c) Obtaining by threat control over property having a value of less than \$1,000 dollars;

(d) Obtaining control over stolen property having a value of less than \$1,000 dollars knowing the property to have been stolen by another.

Any person convicted of petit theft shall be deemed guilty of a misdemeanor, and shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for not more than one year, or by both such fine and imprisonment. In addition, whenever any person is convicted of petit theft the court shall order such person to be fingerprinted and photographed immediately following such conviction unless such person has already been photographed and fingerprinted when charged with the specific offense which is the

subject of such conviction.

SECTION 2. Section 5.42.070 of the Code of the City of Wichita is hereby amended to read as follows:

Section 5.42.070 Theft of services.

Any person in the city who obtains services having a value of less than \$1,000 dollars from another by deception, threat, coercion, stealth, mechanical tampering or use of false token or device shall be deemed guilty of a misdemeanor, and any person convicted thereof shall be punished by a fine not to exceed five hundred dollars or by imprisonment for not more than one year, or by both such fine and imprisonment.

"Services" within the meaning of this section include, but are not limited to, labor, professional services, cable television service, public or municipal utility or transportation service, telephone service, entertainment and the supplying of equipment for use.

SECTION 3. The originals of Section 5.42.010 and 5.42.070 of the Code of the City of Wichita is hereby repealed.

SECTION 4. This ordinance shall be effective July 1, 2004, upon its passage and publication once in the official city newspaper.

PASSED AND ADOPTED BY THE GOVERNING BODY, THIS DAY 22ND DAY OF JUNE, 2004..

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney